

REGULAR MEETING OF THE OKLAHOMA WORKERS' COMPENSATION COMMISSION

Thursday, September 20, 2018
1:30 p.m.
Commission Chambers
1915 N. Stiles Avenue, 2nd Floor
Oklahoma City, Oklahoma
www.wcc.ok.gov

AGENDA

CALL TO ORDERChairman Mark Liotta

ROLL CALLChairman Mark Liotta

OPEN MEETING ACT STATEMENT

MINUTES

The drafted minutes of the July 18, 2018, August 23, 2018, and September 7, 2018, public meetings of the Commission will be considered for approval.

THE FOLLOWING MATTERS ARE PRESENTED FOR CONSIDERATION AND ACTION, IF ANY, DEEMED APPROPRIATE BY THE COMMISSION. PUBLIC COMMENTS ARE LIMITED TO THE AGENDA ITEMS LISTED.

1. Discussion and Consideration of Distribution of Surplus Monies to Members of the Oklahoma Operators Self-Insurers Fund.

Oklahoma Operators Self-Insurers Fund, a group self-insurance association, is requesting a partial distribution of surplus monies back to its members in the amount of \$227,000. The distribution will be payable from Fund Year 2014 (\$155,000) and Fund Year 2013 (\$72,000). There are no open claims for either of those Fund Years.

Commission Rule 810:25-11-10 states that any surplus monies may be declared refundable by the association's board. The date and manner of the distribution shall be declared by the association's board and shall be in accordance with the association's bylaws. The board shall submit the distribution request to the Commission, with all supporting documents. The Commission will consider approving the distribution of surplus monies to members of the Oklahoma Operators Self-Insurers Fund.

Possible Action:

Possible action may include, but is not limited to: taking no action; continuing the matter; approving some, all, or none of the distribution of the surplus monies to the members of the Oklahoma Operators Self-Insurers Fund.

2. Discussion and Consideration of Releasing the Security Deposit of AdvancePierre Foods, Inc., Former Own Risk Permit #18039:

Pursuant to Commission Rule 810:25-9-19, a security deposit posted with the Commission as required by Commission Rule 810:25-9-4 must remain in place, at its existing amount, for two years after an individual own risk employer voluntarily leaves self-insurance.

AdvancePierre Foods, Inc. was purchased by another individual own risk employer, Tyson Foods, Inc. permit #12220. Tyson Foods, Inc. has adjusted its permit and security deposit to reflect this change.

Possible Action:

Possible action may include, but is not limited to: taking no action; continuing the matter; releasing the security deposit of AdvancePierre Foods, Inc.; or not releasing the security deposit of AdvancePierre Foods, Inc.

3. Consent Agenda for Travel Vouchers Currently Outstanding:

Title 85A O.S. § 23 states that any Commissioner or employee of the Commission shall be entitled to receive his or her necessary traveling expenses as provided in the State Travel Reimbursement Act. The expenses shall be certified by the person who incurred them and shall be allowed and paid on presentation of vouchers approved by the Commission. In accordance with this section, the Commission will consider a vote to approve the currently outstanding vouchers.

All vouchers listed within this Consent Agenda have been made available to each Commissioner prior to today's meeting, are considered routine, and will be enacted by one motion of the Commission. If separate discussion is desired, that item may be removed from the Consent Agenda and voted upon separately.

Possible Action:

Possible action may include, but is not limited to: taking no action; approving some, all, or none of the vouchers listed in this Consent Agenda; continuing the matter.

4. Proposed Opening of the Form Adoption, Revision, and Repealer Process to Consider New Forms, Form Revisions and Form Repealers to the Current Workers' Compensation Commission Forms

Title 85A O.S. § 22 provides that before the adoption, amendment, or modification of any form, the Commission shall give thirty (30) days' notice of its intended action and provide an opportunity for public comment, following the rulemaking process.

The Commission will consider opening the form adoption, revision, and repealer process to provide for necessary modifications to forms and potentially adopting new forms to provide for processes not currently addressed by the existing forms.

Proposed forms for revision to include the following:

(A.) Affidavit of Exempt Status, and

(B.) Attorney Change of Address.

Possible Action:

Possible action may include, but is not limited to: taking no action; approving the beginning of the form adoption, revision, and repealer process to adopt new forms, amend the Commission's forms or repeal forms; or continuing the matter.

5. Consideration of Directing the CFO to Establish Commissioner Salary Consistent with 85A O.S. § 19.

Section 19 of Title 85A provides that “[e]ach commissioner shall receive a salary equal to that paid to a district judge of this State” The Commissioners will consider directing the Commission’s CFO to establish Commissioner pay consistent with that Section.

Possible Action:

Possible Action may include: taking no action; directing the CFO to match Commissioner pay to that of district court judges as provided in Section 19; not directing the CFO to match Commissioner pay to that of district court judges as provided in Section 19; or continuing the matter.

6. Discussion and Consideration of Current Commission Policies

The Commission will discuss and consider the following current Commission policy or policies and determine if any updates are necessary: (1) WCC-4, the Personnel File Policy, and (2) WCC-19, The Certified Public Manager Policy.

Possible Action:

Possible action may include, but is not limited to: taking no action; continuing the matter; approving the one or more policies; not approving the one or more policies; or approving a modified version of the one or more policies listed in the above item.

7. Announcements

The Commission’s next regularly scheduled business meeting is on October 18, 2018. The Commission’s next regularly scheduled appeals meeting is on September 21, 2018.

ADJOURNMENT.....Chairman Mark Liotta